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January 15, 2010

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Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20024

Re: Docket No. AB-1041X, *Dakota Northern Railroad, Inc. --Abandonment
Exemption -- in Walsh and Pembina Counties, ND*

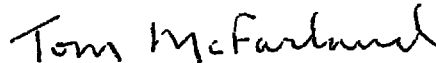
Dear Section of Administration Chief:

Please refer to the Petition for Exemption in the above proceeding filed on October 8, 2009.

As filed, the Petition seeks an exemption for abandonment of the involved rail line. However, inasmuch as the rail line is leased by Dakota Northern Railroad, Inc. from BNSF Railway Company, the Petition should have sought an exemption for discontinuance of Dakota Northern's service over the rail line.

Petitioner hereby offers the foregoing in clarification of the Petition for Exemption. If the Board is of the view that an amendment is required in the circumstances, Dakota Northern hereby moves for leave to amend the Petition for Exemption to seek an exemption for discontinuance of Petitioner's rail service over the line rather than for abandonment of the line.

Very truly yours,



Thomas F. McFarland
Attorney for Dakota Northern
Railroad, Inc.

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cc: Parties on whom the Petition for Exemption was served
Mr. George LaPray, by e-mail to mnn@rrrv.net